

ADMINISTRATIVE SERVICES DEPARTMENT[11]

Notice of Intended Action

Proposing rule making related to capitol complex operations and providing an opportunity for public comment

The Department of Administrative Services hereby proposes to amend Chapter 100, "Capitol Complex Operations," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 8A.104, 8A.322, 17A.3 and 17A.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 8A.322 and 17A.7.

Purpose and Summary

The following proposed amendments update references and procedures in Chapter 100 of the Department's rules regarding capitol complex operations, including updating the tobacco use policy as well as hours of operation at the Capitol Building. These amendments are being proposed as part of the Department's five-year review of rules.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

The Department will not grant waivers under the provisions of these rules, other than as may be allowed under Chapter 9 of the Department's rules concerning waivers.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on November 14, 2018. Comments should be directed to:

Tami Wiencek
Department of Administrative Services
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Phone: 515.725.2017
Fax: 515.281.6140
Email: tami.wiencek@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 14, 2018
10 to 11 a.m.

Procurement Conference Room, A Level
Hoover State Office Building
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 11—100.3(142B) as follows:

11—100.3(142B 142D) Smoking.

100.3(1) and 100.3(2) No change.

100.3(3) This rule shall be enforced by peace officers of the department of public safety. Peace officers other than those employed by the department of public safety may enforce this rule at the request of the commissioner of public safety or at the request of a peace officer employed by the department of public safety. This rule includes, but is not limited to, burning or vaporizing tobacco or other products in a cigarette, cigar, pipe, electronic cigarette, or any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance. Tobacco includes any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, electronic cigarettes, pipes, bidis, hookahs, smokeless chewing tobacco, and/or snuff.

This rule is intended to implement Iowa Code section 8A.322 and chapter ~~142B~~ 142D and Executive Order Number 68 signed November 23, 1998, by Governor Terry Branstad.

ITEM 2. Amend paragraphs **100.4(12)“b”** and **“c”** as follows:

b. For the Capitol Building, normal office hours are ~~6 a.m. to 6 p.m.~~ 7 a.m. to 5 p.m., Monday through Friday, ~~except that if a legislative session lasts past 6 p.m., the closing hour is extended until one-half hour beyond the session's end. Weekend hours of public access shall be posted at public entrances~~ and 9 a.m. to 4 p.m. on Saturday. If the legislature is in session after normal office hours, the ground floor south door closing hour is extended until the session's end. Inquiries regarding the hours the building is open may be directed to the information desk at (515)281-5591.

c. For the Iowa Historical Building, normal office hours are 8 a.m. to 4:30 p.m. every day, excluding weekends and holidays. The Iowa Historical Museum and the State Historical Library, located within the Iowa Historical Building, have different hours. Hours of public access shall be posted at public entrances. Inquiries regarding the hours the building is open may be directed to the information desk at ~~(515)281-5111~~.